

REMARKS/ARGUMENTS

Re-examination and favorable reconsideration in light of the following comments are respectfully requested.

Claims 14 - 25 and 28 are pending in the application. All claims stand rejected.

In the office action mailed January 30, 2007, claims 14 - 25 and 28 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 6,186,577 to Guckel et al.

The foregoing rejection is traversed by the instant response.

Independent claim 14 is directed to a lid assembly provided on a rear trunk of a convertible vehicle having a front, a rear and a longitudinal axis and comprising a bodywork and a movable roof adapted to cover a passenger compartment of the vehicle in a first position and to uncover the passenger compartment in a second position. The lid assembly comprises a lid which has a front edge and a rear edge, which is hinged on the bodywork of the vehicle and which is locked relative to the bodywork in a releasable manner, both in the vicinity of the front edge and the rear edge, so as to be movable between a closed position and a first open position by pivoting from said front backwards about a rear axis, for allowing the roof to pass from the first position to the second position, and between the closed position and a second open position by pivoting from the rear forwards about a front axis, for a rear access to the rear trunk. The lid assembly further comprises control means

adapted to open the lid from both the front backwards and rear forwards, and to close the lid. The control means comprises at least one articulated arm which is movable and operated between a retracted position in which the lid is in its closed position and a first deployed position in which the lid is in its open position, for having the lid pivoted about the rear axis. The at least one articulated arm is further movable and operated between the retracted position and a second deployed position in which the lid is in its open position further to a pivoting about the front axis, so that the deployment of the at least one articulated arm from the retracted position to the second deployed position operates the pivoting of the lid from the rear forwards, about the front axis.

In the '577 patent, the articulated arm 4 (comprising the elements 4a and 4b) and 7 is not "further movable and operated between said retracted position and a [second] deployed position in which the lid 1 is in its opened position further to a pivoting about the front axis 3 (see figure 4 of the '577 patent), so that the deployment of the at least one articulated arm from the retracted position (figure 1) to the second deployed position (figure 4) operates the pivoting of the roof from the rear forwards, about the front axis 3." Accordingly, the above mentioned features of claim 14 which are included therein after the word "wherein" are neither disclosed nor suggested in the '577 patent. Thus, Guckel et

al. does not anticipate the subject matter of claim 14. The same comment can be made in relation to claims 15, and 16.

In the '577 patent, figures 1 and 4, together with the description in column 2, lines 54 - 66 and column 3, lines 20 - 33, disclose that, in the position of the trunk lid 1 pivoted frontward (around the front axis 3), the "articulated arm" (4, 7) is not deployed upwardly for allowing the trunk lid 1 to pivot frontward, contrarily to what happens when the trunk lid is rotated backwards as illustrated in Figure 1.

For these reasons, claim 14 is allowable.

Claims 15 - 25 and 28 are allowable for the same reasons as claim 14 as well as on their own accord. It should be further noted that in the '577 patent, the articulation on the trunk lid 1 of the arm (4, 7) takes place at the location of the front pivot axis 3, and not at a distance therefrom, as mentioned in the last item in claim 16: "said at least one articulated arm is articulated on the lid about a first axis which is spaced apart (emphasis added) from the front axis."

For the foregoing reasons, the instant application is believed to be in condition for allowance. Such allowance is respectfully solicited.

Should the Examiner believe an additional amendment is needed to place the case in condition for allowance, the Examiner is hereby

invited to contact Applicants' attorney at the telephone number listed below.

A request for a one month extension of time and a check in the amount of \$120.00 are enclosed herewith. Should the Director determine that an additional fee is due, he is hereby authorized to charge said fee to Deposit Account No. 02-0184.

Respectfully submitted,
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By 

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I, Karen M. Gill, hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313" on May 21, 2007.

